IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. H-09-273
	§	
MICHAEL OLUSOLA FAMOBIO	§	

ORDER OF DETENTION PENDING TRIAL

On May 29, 2009, at the Initial Appearance of Defendant, **Michael Olusola Famobio**, this Court considered the matter of his detention. Having considered the report of the Pretrial Services Officer recommending detention and confirmed that Fomobio is presently subject to a detainer lodged against him by the Immigration and Customs Enforcement Agency which currently provides for no bond, the Court makes the following findings of fact and conclusions of law.

Since Fomobio presently has no legitimate claim to a liberty interest that would justify an immediate or meaningful detention determination under 18 U.S.C. § 3142(f), it is the ORDER of this Court that good cause exists to postpone the need for such a determination until such time as Fomobio can maintain a legitimate liberty interest before this Court. See United States v. King, 818 F.2d 112, 114 (1ª Cir. 1987), see also United States v. Coonan, 826 F.2d 1180, 1183 (2ᵈ Cir. 1987) Accordingly, the Court finds that there is no need to make a detention determination at this time.

It is, therefore, **ORDERED** that the Defendant, **Michael Olusola Famobio**, be, and is hereby, **COMMITTED** to the custody of the Attorney General or his designated representative for confinement in a corrections facility.

It is further **ORDERED** that the Defendant, Michael Olusola Famobio, **SHALL** be afforded a reasonable opportunity for private consultation with defense counsel.

It is further **ORDERED** that upon Order of a Court of the United States or upon request of an attorney for the Government, the person in charge of the corrections facility **SHALL** deliver Michael Olusola Famobio to the United States Marshal for the purpose of an appearance in connection with a Court proceeding.

DONE at Galveston, Texas, this _____ 1st _____ day of June, 2009.

John R. Froeschner
United States Magistrate Judge

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